

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Michael C. Finnegan

Chapter 11 Debtor

Case No. 17-36469-CGM

Chapter 11

Honorable Cecelia G. Morris
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DECLARATION OF MICHAEL C. FINNEGAN

MICHAEL C. FINNEGAN, of full age, declares as follows under penalty of perjury and pursuant to 28 U.S.C. §1746:

1. I am the debtor in the within Chapter 11 case.
2. On August 30, 2017, I filed the instant case through my former counsel, Francis J. O'Reilly. At the time of filing, I had significant assets that I was trying to preserve through a reorganization.
3. Since that time, I have lost everything except for my retirement savings.
4. The case was never converted from another chapter.
5. The office of the United States Trustee has filed a motion seeking to convert or dismiss my case.

I would prefer to convert the case to Chapter 7 so that I can have what little I have left administered by the Chapter 7 Trustee and thereafter receive a discharge.
6. I respectfully submit that the conversion of the case would be neutral as to my creditors: they would still be able to appear at the meeting of creditors and undertake all of the other remedies at their disposal at conversion.
7. No action has been taken by this Court which would bar me from filing a new Chapter 7 case.

8. I cannot prosecute this case as a Chapter 11, but I still wish to proceed and obtain a discharge in Chapter 7.
9. I am still a debtor-in-possession.
10. This is a voluntary case and has never been converted from any other chapter
11. Pursuant to 11 U.S.C. 1112(a), I am requesting that this case be converted to a case under Chapter 7 of Title 11 of the United States Code.

I HEREBY DECLARE THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND INFORMATION. I UNDERSTAND THAT IF ANY OF THE FOREGOING STATEMENTS ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENTS OF PERJURY.

Dated: April 6, 2021

/s/Michael C. Finnegan

MICHAEL C. FINNEGAN